

A knowledge of our duties is the most useful

TREASURER'S REPORT.

Treasury Department, Nov. 31, 1836.

To the Honorable the General Assembly of the State of North Carolina:

In obedience to the provisions of an Act of the General Assembly, passed at the Session of 1827, entitled "An Act concerning the Public Treasury," the Public Treasurer respectfully submits the following REPORT:

1st. Of the Public or Unappropriated Revenue and Expenditures.

The balance of Cash in the Public Treasury, on the 1st of Nov. 1834, was \$68,433 41. The receipts of the ensuing fiscal year, ending on the 31st day of Oct. 1835, amounted to \$150,109 56.

Making an aggregate of

The disbursements during the same period, amounted to \$218,543 97.

Balance 1st Nov. 1835, as reported to the last General Assembly, \$171,886 67.

The receipts at the Treasury Department for the last fiscal year, that is, from the 31st Oct. 1835, to the 1st Nov. 1836, amount to \$539,559 94, and consists of the following items, viz: Cash received from the Sheriffs for Public Tax of 1835, being the ordinary revenue payable into the Treasury on the 1st of Oct. and not specifically appropriated.

Cash received from the Bank of Newbern for Dividend of 7 per cent. on 1818 shares of the Capital Stock, declared in January, 1836, \$12,726 00.

Ditto received from the Bank of the State of North Carolina, for Dividend of 4 per cent. profit on 200 shares of the Capital Stock, declared in December, 1835, \$1,300 00.

Ditto received from the Bank of Cape Fear, for Dividend of 3 1/2 per cent. profit on 10 shares of stock unappropriated, declared 1st January, 1836, \$35 00.

Ditto received from the Bank of the State for Dividend, (No. 1.) of 2 1/2 per cent. on 921 shares, subscribed 23d of March, 1836, \$2,302 50.

Do. rec'd. from do. for Dividend No. 2, of 4 per cent. on the same shares subscribed as above, \$3,684 00.

Do. rec'd. from do. for Div'd No. 3, of 3 1/2 per cent. on 1221 shares of stock, declared in June, 1836, \$3,968 25.

Ditto received from Bank of Cape Fear, for Dividend of 4 per cent. on 10 shares of stock unappropriated, declared in June, 1836, \$40 00.

Ditto received from the Bank of the State, for Dividend No. 1, of 2 1/2 per cent. on 2837 shares of stock subscribed 2d of August, 1836, \$7,092 50.

Do. rec'd. from do. for Dividend No. 2 of 4 per cent. on the same shares subscribed as above, \$11,348 00.

Do. rec'd. from do. for Dividend No. 3 of 3 1/2 per cent. on the same shares subscribed as above, \$9,220 25.

Ditto received from the Buncome Turnpike Company, for Dividend of 11 per cent. on the shares owned by the State, declared in October, 1835, \$550 00.

Ditto received from do. for balance of Dividend due the State, for the year 1835, \$400 00.

Do. from H. H. Cook, in full for his second bond given for part of the Bushy Tract of land, Principal \$200 00.

Interest 23 47.

Ditto received from Miss E. E. Haywood, for rent of Public Lots, for the year 1835, \$10 00.

Ditto from Jesse H. Lindsay, being amount over drawn by him as a member of the last Legislature owing to a mistake in his certificate, \$3 00.

Ditto received from Charles Manly, Treasurer, of the University of N. C. in compliance with a contract entered into with him by Wm. H. Haywood, Jr. Commissioner on behalf of the State, negotiated in obedience to an act of the last General Assembly, \$100,000 00.

Ditto received from the Bank of the State of N. C. on loan, by virtue of the authority given by the last General Assembly, and for which a certificate of loan was executed, \$10,966 62.

Ditto received from the Treasury of the U. S. in compliance with a contract entered into with the Secretary of the Treasury of the U. S. by Wm. H. Haywood, Jr. Commissioner on behalf of the State, negotiated in conformity with the act of last session, \$300,000 00.

Ditto received from the Bank of Cape Fear, for tax of 25 cents on each share of stock owned by individuals in said Bank, for 1835, \$797 50.

Ditto received from the Merchant's Bank of Newbern, for tax of 25 cents on each share of stock owned by individuals in said Bank, for 1835-6, \$563 50.

Ditto received from the Bank of the State, for tax of 25 cents on each share of stock owned by individuals in said Bank, for 1835, \$2,250 00.

Ditto received from the Bank of Cape Fear, for tax of 25 cents on each share of stock owned by individuals in said Bank, for the year 1836, \$797 50.

Which, added to the balance above stated, will make the sum of \$539,559 94.

To this sum add the amount temporarily transferred from the Internal Improvement fund, and applied to the payment of claims against this fund, \$2,670 38.

The disbursements from the Treasury, from the public fund, for the same period, that is, from 31st October, 1835, to the 1st of November, 1836, amount to the sum of \$580,086 62.

And consists of the following general items, viz:

General Assembly, \$25,645 62; Penitentiary, \$920 00.

Rebuilding Capital, \$6,443 95; Treasury Notes burst, \$3,256 29.

Judiciary, \$22,441 81; Governor's House, \$472 30.

Executive Department, \$2,387 54; Council of State, \$94 20.

Treasury do., \$2,000 00; Public Printer, \$900 00.

Department of State, \$600 00; Stock in Bank of the State, \$75,800 00.

Comptroller's Department, \$1,000 00; Int. on the deferred payment of Stock, \$7,891 86.

Adjutant General's Office, \$200 00; Congressional Elections, \$6 47.

Contingencies, \$7,320 31; Treasury Loan, \$10,966 62.

Interest on Treasury Loan, \$203 25; Sheriffs for settling tax, \$981 00.

Public Library, \$1,267 65; Ditto for comparing Senatorial Polls, \$148 75.

Convention, \$1,511 99; Interest on State Loan, \$1,794 50.

Sheriffs for making Convention returns, \$30 40.

The Comptroller's Statement, required to be furnished for the use of the members of the General Assembly, will be found to contain a detailed exhibit of each and every individual disbursement made at the Treasury Department during the past year. It is therefore respectfully referred to for that purpose.

2d. Of the Literary Fund.

The balance of Cash in the hands of the Public Treasurer, as Treasurer of the Literary Fund, on the 31st of Oct. 1835, as reported to the General Assembly of that year, was \$1,167 08.

The receipts at the Treasury Department, of money belonging to this fund, for the last year, that is, from the 31st of Oct. 1835, to the 1st Nov. 1836, amount to \$22,542 71, and consist of the following items, viz:

Cash received from sundry subscribers, for tax on sales at auction, \$1,150 06.

Do. received from entries of vacant land, \$5,062 71.

Do. received from the Buncome Navigation Company, for Dividend of 12 per cent. on 200 shares of stock, appropriated to this fund, declared in Nov. 1835, \$75 00.

Do. from do. for Dividend of 1 per cent. on the same shares, declared in Nov. 1834, \$80 00.

Do. received from the Bank of the State of North Carolina, for Dividend No. 1, of 2 1/2 per cent. on 94 shares of stock subscribed 9th Nov. 1835, \$5 00.

Do. received from do. for Dividend No. 2, of 4 per cent. on 1700 shares of stock owned by individuals, declared 1st Dec. 1835, \$6,800 00.

Do. rec'd. from do. for Dividend No. 1, of 2 1/2 per cent. on 100 shares subscribed 6th Jan. 1836, \$250 00.

Do. rec'd. from do. for Dividend No. 2, of 4 per cent. on the same shares, subscribed as above, \$400 00.

Do. rec'd. from do. for Div'd No. 3 and 4 on 40 shares of stock, subscribed 1st Feb. 1836, \$200 00.

Do. received from the Bank of Cape Fear, for Dividend of 3 1/2 per cent. on 704 shares of stock appropriated to this fund, declared 1st Jan. 1836, \$2,464 00.

Do. received from do. for Dividend of 2 1/2 per cent. on 50 shares of stock owned by this fund, declared as above, \$175 00.

Do. received from do. for Dividend of 4 per cent. on 704 shares of stock appropriated to this fund, declared in June, 1835, \$2,816 00.

Do. received from ditto for Dividend of 4 per cent. on 50 shares of stock owned by this fund, declared as above, \$200 00.

Do. received from the Bank of Newbern, for Dividend of 7 per cent. capital on 141 shares of Stock owned by this fund, declared January 4, 1836, \$987 00.

Do. received from the Bank of the State for Dividends Nos. 1, 2 and 3, on 66 shares subscribed in behalf of this fund 1st July, 1835, \$43 50.

Do. received from do. for Dividends Nos. 1, 2 and 3, on 26 shares, subscribed in behalf of this fund July 11th, 1836, \$251 00.

Do. received from the Cape Fear Navigation Company, being a part of Dividends Nos. 12, 13 and 14 of 650 dollars each, declared by said company, as per account rendered, \$447 22.

Do. received from Sheriffs for tax on retailers of spirituous liquors, \$2,597 22.

Do. received from the Bank of the State of North Carolina, for Dividend of 3 1/2 per cent. on 1840 shares owned by this fund, declared in June, 1836, \$5,960 00.

Which, added to the balance above stated, makes the aggregate sum of \$22,542 71.

The disbursements from the Literary Fund, during the foregoing period, are as follows, viz: This sum paid Charles Dewey, Cashier of the Bank of the State of N. C. for 34 shares of Stock, subscribed for on the 24th Nov. 1835, \$3,460 00.

Ditto paid do. for interest on deferred payment on do. \$215 00.

Ditto paid Wm. T. Coleman, Secretary to the Board of Directors, his salary for the ensuing year ending 31st December, 1835, \$35 00.

Ditto paid Jas. Iredell and Wm. Roberts, on account of the salary of Jno. K. Campbell, Secretary to the Board of Directors, for the years 1827 and 1828, per Governor's warrant, \$50 00.

Ditto paid Charles Dewey, Cashier of the Bank of the State of N. C. for 100 shares of Stock, subscribed the 7th of January, 1836, \$10,000 00.

Ditto paid do. for interest on deferred payment of do. \$716 69.

Ditto paid do. for 40 shares of Stock subscribed 1st of February, 1836, \$4,000 00.

Ditto paid do. for interest on deferred payment of do. \$304 93.

Ditto paid do. for 66 shares of stock, subscribed the 5th of July, 1836, \$6,600 00.

Ditto paid do. for interest on deferred payment of do. \$669 67.

Ditto paid do. for 36 shares of Stock, subscribed the 11th July, 1836, \$3,600 00.

Ditto paid do. for interest on deferred payment of do. \$368 83.

Making an aggregate amount of \$22,542 71.

Which deducted from the amount above stated, leaves a balance in the hands of the Public Treasurer, as Treasurer of the Literary Fund, on the 1st day of Nov. 1836, of \$8,845 09.

3d. Of the Fund for Internal Improvement.

The balance of cash in the hands of the Public Treasurer, as Treasurer of the Fund for Internal Improvement, on the 31st of October, 1835, as reported to the General Assembly of that year, was \$1,949 31.

The receipts at the Treasury Department on account of the Fund for Internal Improvement for the last year, that is, from the 31st of Oct. 1835, to the 1st Nov. 1836, amount to sixteen thousand one hundred and ninety four dollars and ninety three cents, (\$16,194 93,) and consist of the following items: Cash received from Jonathan Phillips, Chairman of Mecon County Court, in full for the 1st instalment due for the purchase of the balance of the 400 acre tract of land on which the town of Franklin is located, \$775 95.

Do. received from sundry persons on Cherokee bonds, \$3,620 70.

Do. received from the Bank of Cape Fear for dividend of 3 1/2 per cent. on 1338 shares of stock appropriated to this fund, declared Jan. 1, 1836, \$4,753 00.

Do. received from John Rutherford, Jr. Treasurer of the Board of Commissioners of the Buncome Turnpike Road, in full of the principal and interest of a bond executed by said Commissioners, in conformity to the provisions of an act of Assembly, passed at the session of 1822, chap 14. Price \$2,060 00.

at the session of 1822, chap 14. Interest 16 32.

Do. received from the Bank of Cape Fear for dividend of 4 per cent. on 1338 shares of stock appropriated to this fund, declared in June, 1836, \$4,753 00.

Do. received from Gov. Spaight, it being the net amount of sale of the dredging machine at Wilmington, \$67 65.

Which, added to the balance above stated, forms an aggregate amount of \$16,194 93.

The disbursements from the fund for Internal Improvement, during the same period, are as follows, viz: This sum paid Jas. Wyche, Superintendent of P. Works, his salary and expenses, \$0 25.

Do. paid Wm. T. Coleman, for his services as Secretary to the Board the present year, \$6 00.

Which amount, deducted, leaves a nominal balance in the hands of the Public Treasurer, as Treasurer of the fund for Internal Improvement, on the 1st Nov. 1836, of \$2,670 38.

From which deduct the amount which has been applied to the purposes of the public fund, \$2,670 38.

Real balance in the hands of the Public Treasurer 1st Nov. 1836, \$0 00.

All the disbursements made at the Treasury Department, during the year, it is believed, are sustained by the proper and appropriate vouchers, which will be found on file in the Comptroller's office.

RECAPITULATION.

The foregoing statements show balances of cash on hand, at the close of the business of the fiscal year, ending on the 31st of Oct. 1836, as follows, viz: Amount as Treasurer of Internal Improvement Fund, \$24,747 51.

Ditto as Treasurer of the Literary Fund, \$3,945 09.

Making an aggregate amount of \$28,692 60.

With which the Public Treasurer, as Treasurer of the Internal Improvement and Literary Funds, stands charged on the books of this Department, and for which he is therefore accountable on the 1st day of Nov. 1836.

The foregoing amount is disposed of (as directed by law) in the following manner, to wit: Amount deposited in the Bank of the State of N. Carolina, at Raleigh, and remaining at the credit of the Public Treasurer, on the 31st day of Oct. 1836, \$21,354 80.

Do. do. in the Bank of Cape Fear at Fayetteville, on the same day, \$4,577 65.

Treasury notes redeemed and in the vault of the Treasury unit for circulation, \$2,670 38.

Specie change and cash in the Treasury, \$209 77.

Making a corresponding amount of \$28,692 60.

One of the first objects which should necessarily engage the attention of the General Assembly is the condition of the Public Revenue. It will therefore be seen, on reference to the foregoing statement, that the amount received from the ordinary sources, for the last fiscal year, falls short by the sum of \$875 29 of the amount received from the same sources for the preceding year. This apparent decrease, however, will be converted into an actual increase of more than that sum, when we take into consideration the fact that the tax received from gambling tables for the year 1834, has been almost entirely excluded by the prohibitory act of last session, from the receipts of 1835. It will be readily admitted that the revenue of the State is a subject of paramount importance. It is not only important when considered as the main spring which gives motion and imparts energy to all the machinery of government, but it is of vital importance that the sources from which this life blood is drawn, should be pure and incorrupt; that the system adopted for its assessment and collection, should operate impartially upon the whole people; so that all who partake of the blessings and benefits of the Government, should be made to contribute a fair and rateable proportion of the means necessary to its support.

Some of the defects and inequalities of the present system have heretofore been pointed out, and it is believed they are too generally known to require repetition; but as the Legislature has convened under a new organization of the fundamental law, adopted in part expressly with reference to the subject of taxation, it is deemed to be a peculiarly appropriate period for remedying those defects, and supplying those deficiencies which the experience of years has made so clearly manifest.

On referring to the tabular part of this Report, it will be seen that a resort to the authority given the Public Treasurer, by a Resolution of the last session, to borrow money on behalf of the State, has been rendered necessary. In the prosecution of the work upon the Capitol, and in the discharge of the ordinary expenses of the Government, the funds in the Treasury were entirely exhausted about the middle of May.

In the exercise of the authority given me by the resolution referred to, instead of borrowing a specific amount and placing it to the credit of the Public Treasurer, in Bank, to meet the current demands on the Treasury, a portion of which, at least, must have remained for a time inactive, I succeeded in making an arrangement with the Bank of the State, by which the Bank agreed to discharge from time to time as they were presented, all the claims against the Treasury, noting upon each the day on which it was paid, and charging interest only from the respective periods of payment. Thus, by adopting a course at once liberal on the part of the Bank, and highly creditable to that institution, a considerable saving to the State in the way of interest has been effected; and by this arrangement also, the State was enabled, at the earliest possible period, to avail itself of the use of its accruing means, and of applying any portion of its revenue, the moment it was received, to the payment of the debt thus incurred. The amount of claims thus paid by the Bank up to the 24th day of June, 1836, was ten thousand nine hundred and sixty-six dollars and sixty-two cents, (\$10,966 62;) at which time the proceeds of the June dividends due from the Bank of the State, and the Bank of Cape Fear, were applied, so far as they would go, to its discharge. The same course was continued by the Bank up to the 22d day of September, on which day a sufficient sum having been received from the Sheriffs on account of the ordinary revenue, the whole amount due the Bank was settled and paid.

Under the act of last session, entitled "an act to provide for the payment of the instalments on the shares reserved to the State in the capital stock of the Bank of the State of North Carolina," I received, on the 23d day of March last, from the commissioner appointed by the Governor to negotiate a loan on behalf of the State, the sum of one hundred thousand dollars, which, on the same day, I applied to the payment of the principal and interest of as many shares of the reserved stock, as that sum would cover, being one hundred and twenty-one shares; and on the first day of August following, I also received from the commissioner aforesaid, the further sum of three hundred thousand dollars, which, on the succeeding day, was applied to the payment, in part, of the principal and interest of two thousand eight hundred and thirty-seven shares, subscribed on that day; that being the number wanted necessary to complete the subscription on the part of the State, and the number also necessary to make up the entire capital of the Bank. The balance due upon the shares thus subscribed, amounting to thirteen thousand seven hundred and seventy-nine dollars and seventy-eight cents, was paid out of the dividends received upon them. For the money thus received, I executed and delivered to the commissioner, four hundred certificates of one thousand dollars each, as required by the act of Assembly authorizing the loan. The whole number of shares now belonging to, and held in the name of the State, is four thousand and fifty-eight, which cost the aggregate sum of four hundred and forty-three thousand six hundred and ninety-one dollars and eighty-six cents, (\$443,691 86.) The capital stock of the Bank being now wholly subscribed and paid for, it may be said to have gone into full and complete operation; and in order the better to subserve the wants of the community, the capital has been distributed among its several branches and agencies as follows, to wit: To the branch at Newbern, \$200,000; to the branch at Fayetteville, \$250,000; to the branch at Tarborough, \$150,000; to the branch at Elizabeth City, \$150,000; leaving the remaining sum of \$750,000; for the principal Bank at Raleigh, and the agencies at Charlotte, Morganton, Lenoirville, Milton, Wilmington, and Windsor. This disposition of the capital, when taken in connection with the amount and distribution of that of the other Banking institutions of the State, it is believed, will afford ample means, if properly managed, for carrying on and sustaining a system of commerce, the commercial and agricultural pursuits of the country, and for the redemption of the public debt, and for the employment for their capital, and for the creation among the people, of a new and more extensive system of commerce, and for the prevention of the depreciation in the value of the currency produced by those causes, may be avoided. Should, however, the present system of banking capital within the State, not be deemed sufficient for the actual wants of its citizens, it is respectfully suggested whether it would not be advisable to enlarge the capital of the existing Banks in preference to the incorporation of others.

Since the last annual report from this department, I have continued, from time to time, as the means of the Literary Fund accumulated, to invest them in reserved stock of the Bank of the State, as directed by a resolution adopted by the President and Directors of that fund, in January 1835. Within the period referred to, there have been subscribed, in behalf of this fund, two hundred and seventy-six shares, which cost the sum of twenty-nine thousand eight hundred and seventy-nine dollars, and seventy cents, as will be seen by reference to the disbursements enumerated under the appropriate head. The whole number of shares now belonging to this fund, in the Bank of the State, is nineteen hundred and forty-two, the aggregate cost of which is one hundred and ninety-seven thousand seven hundred and sixty-seven dollars and thirty-three cents. There is likewise belonging to this fund, two hundred and eighty-two shares of stock in the State Bank, one hundred and forty one in the Bank of Newbern, and fifty in the Bank of Cape Fear; as also the dividends of three hundred and fifty-nine shares owned by the State in the Bank of Newbern, and seven hundred and four shares in the Bank of Cape Fear; which, together

with the sum of three thousand eight hundred and sixty-five dollars and nine cents, uninvested in the Treasury, constitutes the entire amount of means belonging to the Literary Fund at the close of the last fiscal year.

By an act of the General Assembly, passed at the last session, entitled "An act making it the duty of the Governor to convey to the Justices of Haywood County Court, certain lands therein described," it is made the duty of the Governor to convey to the said Justices, in trust for the County of Haywood, all the Cherokee lands remaining unsold within said county, whenever the Justices thereof shall execute and deliver to the Public Treasurer, bonds, with security to be approved by him, for such sums as the said lands may be ascertained to come to, at the prices prescribed by law, as the minimum prices of lands of the quality that the said lands were apporportioned to be by the commissioners by whom the same were surveyed—and that the bonds so executed, shall be payable in four equal, annual instalments. Under the provisions of this act, four several bonds, bearing date the 13th day of August, 1836, for the sum of eleven hundred and thirty-three dollars six and a fourth cents each, have been executed, as required by the act, by the Justices aforesaid, and are now on file in this Department.

It will be observed, on examining the disbursements made from the public fund during the last fiscal year, that they have exceeded the receipts of that fund by the sum of two thousand six hundred and seventy dollars, and thirty-eight cents (\$2,670 38;) to supply which deficiency recourse has been had to the use of the fund set apart for Internal Improvement—in fact, in the course of the year the entire amount of the Internal Improvement fund was used in the payment of claims chargeable on the public fund, it being deemed better to apply it than to pay interest on a like amount borrowed from the Bank; and particularly so as no appropriation from the fund for Internal Improvement was made at the last session; nor was there a probability of any claim chargeable on that fund being presented within the year. Upon the receipt of the revenue from the Sheriffs on the first day of October last, the whole amount of the Internal Improvement fund was repaid; but the disbursements since that period, have again made it necessary for the public fund to become its debtor, for the sum above stated. It is evident, therefore, from the present state of the Treasury, that speedy provision must be made, either by loan or otherwise, for meeting the current demands upon it.

The accompanying statement, marked C. exhibits the amount of Treasury notes issued under the several Acts of Assembly, the amount at different periods redeemed and burnt, and the amount yet unredeemed. Judging from the rapid decrease in the amount presented for redemption within the last three years, it may be fairly inferred that in the course of a similar period, the whole amount yet in actual circulation will be redeemed, and this very troublesome, and hitherto laborious business, brought to a final close.

Copies of such Bank exhibits as have been received at this office since the last Session, are hereto annexed; and copies of such others as may be received during the present sitting of the General Assembly will be promptly furnished.

The accompanying statements, marked from A. to H. inclusive, contain such information on the various subjects to which they relate, as the books of this Department furnish and which, it is believed, embrace all that the act regulating the Treasury Department requires.

In the month of May last, Col. Samuel Chunn, who has been the State Director in the Buncome Turnpike Company for several years past, resigned that appointment; and the duty of filling the vacancy being, by the charter, devolved on the Public Treasurer, I issued a commission to Dr. J. F. E. Hardy, of Asheville, who had been well recommended, and in whose hands I have no doubt the interests of the State may be safely entrusted.

That portion of the revenue collectable by the Sheriffs of the State has again been promptly and punctually accounted for; but I regret to say that several of the auctioneers who are liable for the tax due upon their sales at auction, have failed to account for the same as prescribed by law. A list of the officers thus delinquent, with the amount due by each, has been certified and published in the State Gazette, as required by the 23d section of the "act concerning the Public Treasury;" and such further measures as the act requires, for securing the amount due the State will be taken in proper time.

All which is respectfully submitted.

SAM. F. PATTERSON, Pub. Treas.

The best joke in the world.—When Samuel was asked to repeat the best joke he ever heard, he said it was contained in the will of an old curmudgeon friend of his, who had bequeathed ten pounds toward paying the National Debt of England. But we can announce a much better joke than this, in the arrival at Washington of Mr. Wharton, Envoy Extraordinary and Minister Plenipotentiary from the nation of Texas!—N. York Com. Ads.

Fire on the Rail Road.—A splendid carriage recently built for General Jackson by Messrs. Knolls & Co. of Amherst, Massachusetts, was destroyed by fire, on the rail road between Philadelphia and Baltimore. A spark got under the tarpaulin with which it was covered, and set fire to the straw, in which it was enveloped.

Legislature of North-Carolina.

(CONTINUED FROM THE EIGHTH AND NINTH PAGES.)

SENATE.

Wednesday Dec. 7.

From the Judiciary Committee, Mr. Bryan reported a bill providing for the election of Public Officers; also a bill relative to the election of Commissioners.

Passed their first reading. Received from the House of Commons the following engrossed bills, viz: A bill increasing the salary of Sheriffs; a bill declaring that shares of stock in incorporated companies shall be deemed taken as personal property; a bill to receive the portion of the Surplus Revenue to which this State is entitled, under the act of Congress at its last session; which were severally read, and passed their first reading.

The amendment of the House of Commons, proposing the 10th December as the day for counting the votes for Governor, concurred in.

The bill concerning ladies corporate in this State, heretofore rejected, was reconsidered, on motion of Mr. Kelly.

The bill giving the lessors of land a lien on the crops of their tenants, for rents, was taken up and rejected; an amendment proposed by Mr. Kelly, that it should not extend beyond the first of January, after the making of the crop, it passed a second reading.

HOUSE OF COMMONS.

On motion of Mr. Holland, the Committee on Propositions and Grievances were directed to inquire into the expediency of altering the law with regard to Elections, so as to authorize Sheriffs to open the Polls at an earlier hour than 12 o'clock. Mr. Graham from the Committee on Revised Statutes, reported a bill concerning the Compensation of Public Officers. Also, a bill concerning the Public Treasury—which bills passed their first reading.

Mr. Jordan presented the Memorial of 460 citizens of Chatham, Wake, Cumberland and Moore, for the creation of a new county, out of a portion each of said counties. Referred.

Mr. Guinn presented a bill founded on an extraordinary petition, which he said was of a most extraordinary character. It was the petition of a large number of citizens of Moore county, praying that John Timson, a Cherokee Indian, who is unwilling to remove to the West, may be exempted from the disabilities of the Act of 1777. The bill was read first time, and referred to the Judiciary Committee.

The Resolution from the Senate, authorizing the Governor to draw on the Treasury for funds to cover the expenses attending the recent sales of Surplus Lands, were read the first time.

Mr. Moore, from the Committee on Revised Statutes, reported a bill concerning the mode of electing Senators and Representatives in Congress—a bill concerning Bastardy—a bill concerning Attorneys at law—a bill concerning Constables, which bills passed their first reading.

Mr. Fisher rose to introduce a Resolution. He said that he existed amongst members a great diversity of opinion as to the proper mode of investing that portion of the Surplus Revenue to which North Carolina may be entitled under the Deposition Act. It was essential that there should be a great concentration of sentiment on the subject, and he was admitted, on all hands, to be one of importance. With a view to effect this object, he would submit a Resolution, proposing the appointment of a Select Joint Committee, to consist of 13 members, on the part of each House, one to be taken from each Congressional District, and to be appointed by the other members of the District, whose duty it shall be to inquire as to the best investment of this Fund. The Resolution was adopted.

Mr. Ervin introduced a bill to incorporate the General Mining and Manufacturing Company, with a capital of one million and a half. Read first time.

Orders of the day.—The bill ascertaining the mode of proving Book debts, was read the second time. No amendment being proposed, on motion (two-thirds concurring) it was read the third time and sent to the Senate.

The same disposition was made of the bill concerning Public Documents; and the House adjourned.

SENATE.

Thursday Dec. 8.

Mr. Edwards moved to send a message to the other House, proposing to vote for a Senator in Congress; which was lost—Ayes 23, Nays 22. The Speaker voting in the negative made it a tie.

Those who voted in the affirmative are: Messrs. Arrington, Baker, Bryan of Craven, Bunting, Governor of Gates and Chatham, Cooper of Martin, Dobson, Edwards, Erwin, Fox, Hall, Hawkins, Houlden, Hume, Kerr, Marshall, Mcbane, Newby, McCormick, Reid, Reinhardt, Sanders and Whitaker—23.

Those who voted in the negative are: Messrs. Albright, Bryan of Carteret and Jones, Barnett, Boney, Davidson, Dockery, Godger, Hargrave, Jester, Jones, Kelly, Melcher, Moody, Moye, Henshaw, Moore, Myers, Redding, Skinner, Spruell, Taylor and Williams—22.

The bill to elect Public Printer, was taken up, on motion of Mr. Mosley's motion, read the second and third times and passed.

The bill to increase the liabilities of Sheriffs, was amended, on motion of Mr. Burney, and passed its second reading.

The bill allowing public officers, or their deputies, to administer oaths in certain cases; and the bill to give lessors of land a lien upon the crops of their tenants, passed their third reading.

Mr. Sanders introduced a Resolution for raising a Committee of five on the part of each House, to inquire what disposition ought to be made of that portion of the Surplus Revenue to which this State may be entitled. Laid on the table.

Mr. Jones presented a bill relative to the time of paying in entry money. Passed its first reading.

Mr. Hargrave, a petition to exempt Commissioners from working on roads. Referred.

A bill to receive the portion to which this State is entitled of the Surplus Revenue, in consequence of an act of Congress passed at its last session, was read the second time and passed. Ayes 46, Nays 1.

Mr. Hall, of Edgecombe, also, voting in the negative—Mr. Marshall and Mr. Montgomery absent, the latter from indisposition.

HOUSE OF COMMONS.

Mr. Goins, from the Committee on Revised Statutes, reported the following bills, which had their first reading, viz: A bill to prevent the abduction of girls in certain cases—Concerning the Secretary of State—Concerning Mad Dogs—Concerning the sale and grants of Land.

Mr. Hawkins, from the same Committee, reported the following, which were also read the first time, viz: A bill concerning Religious Societies and Conventions—Concerning Quarantine and to prevent the introduction of contagious diseases. And,

Mr. Graham, from the same Committee, reported a bill providing for the support of the Poor, and a bill concerning bail in Civil cases. Read the first time.

Mr. Hoke moved that a message be sent to the Senate proposing, on Wednesday next, to go into the election of U. S. Senator to serve for six years from the 4th of March next, and nominated for the appointment the Hon. Robert Strother.

Mr. Williams moved to lay the motion on the table. He remarked, that it was the object, he pre-

sented, of every gentleman, to have on this subject a full and fair expression of the popular sentiment. He could not believe that any man of any party would wish to bring on this election when the House was not full—especially when parties were situated, as they are believed to be, in this Legislature. It is known, said Mr. G., that there is a vacancy in the Commons from Pasquotank county, to fill which, an election takes place this day. It is more than probable, that the member elected will have taken his seat by the time specified, but there is no certainty of it. Some casually may detain him; but yet if we sanction this proposition, we bind ourselves to go into the election, though the absent member may not have arrived. Acting as the Representative of the people, he could not consent to go into any important election, without a full Legislature. Could gentlemen regard success, under such circumstances, as a triumph? He presumed not. For himself he was willing to go into the election the moment the Pasquotank member arrived, whatever might be his political bias; but perceiving no necessity for haste in this matter, he should oppose all attempts to force the House into a vote before that vacant seat was filled.

Mr. Hoke assented to the gentleman from Granville, that the very object which he had in view in fixing on the day designated, was, that the member elected from Pasquotank might have time to take his seat. Six days were thus allowed him to reach here, when the journey would probably be accomplished in three. He went as far as any gentleman, in desiring, on this question, a full expression of the popular sentiment. The distinguished gentleman whom he had nominated, did not desire to be elected, he was confident, without a fair and open canvass—he had no wish, he was sure, to be a minority Senator. He hoped the House would agree to the motion, though he was willing, if any gentleman desired it, to extend the time a day or two longer; his only object being to have a definite day fixed on.

The motion to lay on the table was lost. Yea 57—Nays 30.

The question recurring on the adoption of the Resolution, Mr. Maclean moved to amend it by striking out Wednesday and inserting Friday the 15th instant. Accepted by the yeas.

Mr. Guthrie hoped that the Resolution as amended would not prevail. What are we about to do, said Mr. G.? Admitting that the Pasquotank member arrives by Wednesday, the first day mentioned, we then allow him only two days to make up his mind on the relative merits of the distinguished gentlemen who may be nominated for the station. The rest of us (said Mr. G.) have had more than a fortnight to make up our minds on the subject, and it is but fair that like courtesy should be extended to others. He therefore moved to postpone the further consideration of the whole subject to Friday week. Lost 59 to 53.

The question now recurring on the adoption of the Resolution as amended the vote stood 57 to 57. The Speaker voted in the negative; so the motion was lost.

SENATE.

Friday, Dec. 9.

Mr. Moore presented a bill to incorporate the Salem Manufacturing Company. Passed its first reading, and referred.

Mr. Albright a bill to lay off a new county, by the name of Jefferson. Passed its first reading, and was committed to a Committee of the Whole House, and made the order of the day for Tuesday next.

Mr. Bunting presented a Resolution to vacate the seats of Joseph McDowell Carson, Esq., the Senator from Rutherford; Alfred Dockery, Esq., the Senator from the counties of Richmond and Robeson; and of William Albright, the Senator from Chatham, on the ground that they were Postmasters at the time of their election. After some discussion, in which Messrs. Edwards, Morehead, Polk and Bunting participated, the Resolution was amended, on the motion of Mr. Edwards, so as to direct the committee on Privileges and Elections to enquire into the facts, and giving them power to send for persons and papers. On motion of Mr. Polk, they were further instructed to enquire into the right of David S. Reid to a seat in the Senate. The Resolution, as amended, was then adopted.

The bill to receive our portion of the Surplus Revenue, under the late act of Congress, was taken up. Mr. Edwards controverted the position taken by Dr. Hall on yesterday, that it was making a subordinate Executive agent of the State Government. We understood him to say he would have voted against the deposit bill; but if for no other reason, than with a view to preserve a small portion of the plunder, he would accept our portion. He would look up the money, if he could not find or lose it upon unquestionable security—such security as would secure its return whenever the State was called upon for it.

Mr. Hall responded; but as we could hear but very imperfectly what he said, we refer the reader to his printed, which contains his views on the subject.

Mr. Cooper (of Martin) stated, that as an individual, he would vote against the acceptance of this money; but he would represent the people, and the people thought the money they must have.

Mr. Edwards moved to strike out the last section but one in the bill, directing the Treasurer to deposit the money in the Banks not subject to be removed, except by order of the Governor for security, or by the special order of the General Assembly. After some observations from Messrs. Edwards, Bryan (of Carteret) and Morehead, the motion was lost, the bill passed its last reading.

All the Senators were present—all voting in the affirmative, except Dr. Hall of Edgecombe.

Protest of Dr. Hall, of Edgecombe, against the Bill to receive that portion of the Public Money to which this State is entitled, under the Act of Congress, called the Deposit Bill.

I enter my protest against the acceptance of any portion of the surplus money, provided for under the act of Congress of last session, and consequently against the passage of the Bill now under consideration for the acceptance of the same. I am opposed to the principle of distribution, as contended for by some, as well as that of making the State of North Carolina a fiscal agent, to participate in the management of any part of the duties of the Treasury Department of the United States. By accepting the money proffered, North Carolina also accepts the conditions upon which it is offered, and thereby enters into a contract, the parties contracting are, in my opinion, not constitutionally competent to make. The act, rather the 12th section, making the people of this State, or distribution, is not provided for, and is not a part of the money granted power, to the acceptance of any granted power. In addition to this, it palpably violates a settled principle, known by fair construction from the 9th and 10th Amendments of the Federal Constitution, that the powers of the Federal and State Governments should be kept separate and distinct. This act makes the State a subordinate executive agent in the execution of the duties of the Treasury Department. It not only makes the State a subordinate fiscal agent, but the subordinate to a subordinate executive officer; being subject in this matter to the direction and supervision of the Secretary of the Treasury. In addition to these objections, I think it not only inexpedient and unnecessary, but in its tendency dangerous to the principles upon which our institutions are founded. It places the State under the control of the Federal Government through its money concerns, making the Federal Government the collector of revenue for the State; thus tending to a consolidation of

the State and Federal Authorities. It is in effect, to re-instate and sustain the American System, and thereby keeps up an onerous system of taxation upon the people, wholly unnecessary.

The operation of distributing or depositing the surplus, should a surplus be continued, will necessarily have an injurious effect upon the commerce of the country, by taking from the proper channels of trade, a large capital, and removing from the Banks the means of accommodation to the mercantile class.

Another, and not a trifling objection is, that under the forms of the obligation, the State gives her consent to be legally bound to perform the requirements of the act of Congress, and in my humble judgment, subjects herself, in case of delinquency, to be sued in the Supreme Court of the United States, as a defaulter. Nor is it impossible, nor altogether improbable that such delinquency may take place. Suppose the State should become indebted to even the amount of two or three millions, and the money appropriated or spent, as it likely may be, when or how, let me ask, would it be repaid? The only means would be heavy taxation, which would not likely be resorted to by the Legislature, or permitted by the people.

For these reasons, I feel bound to vote against the passage of the bill.

(Signed) THOS. H. HALL.

HOUSE OF COMMONS.

Mr. Caldwell presented resolutions declaring the seats of Mr. Harris of Montgomery, Mr. Pinkston, of Davidson, and Mr. Clayton of Buncombe, vacated, on the ground that they were Postmasters at the time of their respective election, and therefore Constitutionally ineligible to the Legislature. On motion, these resolutions were referred to the Committee on Privileges and Elections.

The House then took up the bill for the division of Rowan county, so as to form a new county by the name of Davie. After some debate the bill passed its second reading 65 to 49, and was subsequently read the third time and sent to the Senate.

The bill to incorporate the Edenton and Norfolk Rail Road Company, was read the third time and sent to the Senate.

SENATE.

Saturday, Dec. 10.

Mr. Mosley from the Judiciary Committee, reported a bill to give Courts of Equity power to change the names of persons.

Mr. Taylor presented a resolution that from and after to-day, the two Houses hold evening sessions commencing at three o'clock, at which no other business shall be taken up except the revised statutes. Laid on the table.

On motion of Mr. Bryan, the bill to establish a seventh Judicial Circuit, was taken up, read second and third times, and ordered to be engrossed.

A bill concerning bodies corporate, was read the third time and passed. [Provides that where no limit is fixed to corporations, they shall exist for 30 years, and that a neglect to exercise their corporate privileges for 2 years shall work a forfeiture.]

A message was received from the Commons, informing that they are now ready to receive the Senate to examine the returns of the election for Governor, whereupon the Senate, preceded by their Speaker, proceeded to the hall of the House of Commons.

HOUSE OF COMMONS.

A message was sent to the Senate, informing that body of the readiness of this House to meet them in the hall of the House of Commons, for the purpose of examining the votes given at the late election of Governor of this State, and informing that Messrs. Casler and Raper, constitute the Committee of examination on the part of the House.

Received a message from the Senate, informing that Mr. Polk is appointed to superintend said examination on the part of the Senate.



Charlotte:

Friday, December 23, 1836.

Fire.—On the night of the 15th instant, between 12 and 1 o'clock, our citizens were called out by the alarm of fire. On repairing to the spot, we found a back house on the lot owned by Mr. Robt. McComb, near the Charlotte Hotel, on fire. The house had been used as a bake-shop, but it is hard to tell how the fire was communicated as it had not been used for several days. Great exertions were made by the Fire Company and a number of citizens to prevent the fire communicating to any other than the building burning, which, owing to the stillness of the night, they accomplished—had it been otherwise there is no telling where it would be stopped. Providence seems to interpose on such occasions.

Errata.—Only about a third of the zinc was blown from the roof the Mint. It being about half covered, we stated that nearly the whole was blown off. Our information was incorrect.

Richard E. Parker, has been elected by the Legislature of Virginia, to fill the vacancy in the U. S. Senate, occasioned by the resignation of Mr. Leigh.

Mr. Wise has introduced a resolution to appoint a Committee to examine the Executive Department of the Government, and to report thereon at the next session.

College.—The Van Buren Electors met in this city on Wednesday last. Hon. Nathaniel Macon was chosen President of the College, and Thomas G. Stone acted as Secretary. Cal. Love, one of the Electors, being prevented from attending by infirm health, his son, James R. Love, was elected a member to the College, in his stead. Of course, the fifteen votes of the State were cast for Martin Van Buren, as President, and R. M. Johnson, as Vice President. Philo White was appointed Messenger, to bear the Electoral vote to Washington.—Raleigh Register.

Virginia.—The Electoral vote of this State has been given to William Smith, of Alabama, for Vice President. Of course, Col. Johnson is not elected by the people,

and the Senate of the United States will have to choose between him and Mr. Granger.

Mr. Leigh has resigned his seat in the Senate.—ib.

Massachusetts has voted for Webster and Granger.

Treasurer's Report.—This valuable document appears in this paper, and affords satisfactory evidence of the peculiar qualifications which Gen. Patterson possesses for that branch of the Public service over which he presides. It is rumored that, in consequence of the admitted inadequacy of the salary to a genteel support, Gen. P. intends to decline a re-election. Qu? Is it not poor economy to lose a valuable Officer, for the sake of a few hundred dollars?—ib.

Votes for Governor.—Pursuant to the provisions of the amended Constitution, the ceremony of opening and publishing the returns of the election for Governor by the Speaker of the Senate, took place in the presence of a majority of the members of both Houses, on Saturday last. Gen. Polk, of the Senate, and Messrs. Casler and Raper, of the Commons, were appointed a Committee to superintend the registration of the vote. The vote of Chowan county, being informal, was rejected; and no returns were present from the counties of Burke and Gates. The whole number of votes given in, in the 62 counties, was 63,943; of which Dudley received 33,993 and Spaight 29,950—Dudley's majority 4,043.

If however, we add the vote in Burke, Gates and Chowan, then Dudley's majority is 4,729—a convincing proof of the Anti-Van Burenism of North-Carolina.—ib.

Revised Statutes.—The Legislature has gone resolutely to work with the Codified laws, determined to consummate what the Commissioners have so satisfactorily begun. The labors, both of the Committee and the Legislature, will be arduous in the extreme, but when their work is matured, the effect will be to substitute rules of written reason and plain common sense for the contradictions, fictions and unnecessary and unintelligible technicalities with which the Statute law is now encumbered. The law will then be easy of comprehension to the plainest understanding, and be more happily adapted to the condition of society at the present day. Truth and desirable legal certainty will no longer be buried in darkness and doubt, and the principles and spirit of the law entangled in endless intricacy.—ib.

Southern Rights.—The Presbyterian Synod of South Carolina and Georgia, which assembled at Milledgeville a few days since, unanimously set forth Resolutions enjoining their Delegates to the General Assembly to disavow all right of legislation or discussion on the part of the people of the North with regard to the Institution of Slavery; to refuse to mingle in any act, by vote or speech, which involves even the discussion of the subject, and requiring them to withdraw from the General Assembly and come home, upon any attempt by that body to legislate on, or discuss this subject at all.

The United States' Dredge Boat, stationed in the River near Washington, in this State, was unfortunately consumed by Fire on the 30th ult. and dreadful to relate, three human beings (slaves) perished in the flames.

On the next night, the Turpentine Distillery of Col. Joshua Tayloe was burnt.

Roanoke, Durrille and Junction Rail Road.—The citizens of Norfolk have had a town meeting, and so far as they had authority, have instructed the Common Council of the Borough to subscribe \$400,000 to the Stock of this Company.

We understand Mr. Keyon (V. B.) is elected from Pasquotank, in place of Mr. Muse. This gives the Van Buren men a majority on joint ballot.

On the 10th inst. Col. P. M. Butler was elected Governor of the State of South Carolina, and W. Dabose, Esq., Lieutenant Governor.

Judge Strange has resigned his judicial office, and accepted the appointment of Senator in Congress.

A letter from Tuscaloosa, in the State of Alabama, says, that the expunging resolutions, introduced into the Legislature of that State, failed on the 29th ultimo, in the Senate, by a vote of 15 to 15.

The New York Star says a rumor is afloat that an officer of the General Government at Boston, has failed for \$400,000, and has overdrawn one of the Pets \$80,000. At this rate the Surplus will soon disappear.

A slip by the express mail, dated Mobile, Alabama, November the 29th, received at Raleigh, announces the death of Mrs. General Gaines.

Hon. Geo. L. Kinnard, Member of Congress from Indiana, who was so badly scalded a few days ago on board the Steamboat Flora, has since died. He was on his way to Philadelphia, to be married.

The President's Health.—The health of the President has gradually improved, but he is still extremely feeble, and unable to meet company. He gives his attention, a few hours every day, to communications laid before him by his cabinet; but he is absolutely interdicted by his physician (Dr. Hunt) from receiving his friends, as the effort to converse threatens a return of the hemorrhage, which, in his present weak condition, might be attended with instant suffocation.—Globe of 7th inst.

Asbury Dickins, Esq., was yesterday elected Secretary of the Senate, in the place of Walter Lawrence, Esq., resigned.

[Mr. Dickins has been for three years past Chief Clerk in the Department of State, and occasionally acting Secretary. He had been previously for some years past Chief Clerk in the Treasury Department and repeatedly acting Secretary of that Department also, into which he was first brought by the late Secretary Crawford in the early part of his services at the head of it.]—Natl. Intel.

Mr. Van Buren's Cabinet.—It is rather early to talk about this, but a Washington Correspondent assures us that the Secretary of State will be Mr. Rives of Virginia, and that Governor Marcy, of this State, will probably come into the War Department. Mr. Woodbury, our correspondent thinks, is the only member of the present Cabinet who is likely to be retained.—[N. Y. Jour. of Commerce.

Our impression is that Mr. Van Buren's Cabinet will be pretty much as the present is. We feel quite sure that Mr. Forsyth will be continued as Secretary of State and Mr. Kendall as Post Master General. All this, however, is at best conjecture.—[Alexandria Gazette.

Prospect of Relief.—The Washington Globe, in reference to the embarrassed and crippled condition of the currency, says:—"THE DAILY INQUIRY IS, WHEN IS THE PRESENT PRESSURE TO CEASE? IN OUR OPINION IT HAS JUST BEGUN." We infer from this semi-official opinion, that Gen. Jackson persists in the determination to "break every speculator in the Union." With forty millions of dollars under his control he has the power to do it.—Albany Journal.

Horrible Accident by powder in Rumford.—On Monday week, the store of Otis C. Bolster, in Rumford, Maine, was blown up by a cask of powder being set on fire. Mr. Bolster had just been getting a stock of goods in his store, and among the articles was a cask of powder. His customers had been trying the powder, and had left some particles upon the top of the cask. Mr. Bolster's boy nine years old, in order to amuse himself, and in the absence of his father, took a coal of fire, and thus set the particles in a blaze. Two other young lads were also in the store. The whole cask of Powder immediately ignited. Half of the store was blown into the Androscoggin, and the other half into the street, the roof tumbling down in the middle. Mr. Bolster's boy was immediately killed. One of the other young lads had his arm broken, and the other was badly burnt.—Portland Advertiser.

MARRIED.

In this county, on the 13th inst., by the Rev. E. H. Morrison, Mr. DAVID A. CALDWELL, to Mrs. MARTHA A. CALDWELL.

COME AT LAST!! WILLIAMS & BOYD have just received a large supply of DR. PETERS' Vegetable Anti-Bilious Pills.

They are aware that many persons have suffered in consequence of being compelled to do without this valuable Medicine—but now, all reasonable demands can be supplied.

Charlotte, Dec. 20, 1836. 254
Have you Coughs, Colds, Asthma, Consumption, or Spitting of Blood?—Call at the Store of WILLIAMS & BOYD and get a Medicine prepared by Dr. Parsons, of Savannah, Ga.—This remedy is said to be effectual in the above cases, and one of the greatest discoveries ever made in the science of Medicine.

For Sale, A LIKELY NEGRO WOMAN, thirty-five or forty years old. She is a tolerable good Cook, and a first rate Washer and Ironer, and honest. Also, a good house girl to hire by the year. Enquire at this office.

Dec. 20, 1836. 257

NOTICE.

BY permission of James H. Weather, special Judge of the Court of Ordinances, will be sold at the residence of John P. Moore, dec'd., of Lancaster District, 17 miles South of Charlotte, on the main road leading to Camden, on Thursday and Friday, the 12th and 13th of January next, the whole of his personal estate, consisting of

4 or 5 Plantations, 15 or 16 likely young Negroes, Cotton Gin and Scales, 1 Threshing Machine, 1 new Wagon, 1 old Wagon, 3 Gigs, Blacksmith Tools, Woodshop do a quantity of excellent Wagon Timber, and a quantity of Iron suitable for Wagons.

Horses, Cattle, Hogs, Corn, Fodder, Hay, &c., Household & Kitchen Furniture, Farming Utensils, together with many other articles. Terms of sale made known on that day.

Any person wishing to examine the above Plantations, can do so, by calling on R. J. Miller, who lives on one of them.

WM. ROSS, Adm'r.

Dec. 17, 1836. 256

N. B. All persons indebted to the above estate, by Note or Book Account, are requested to come forward and settle immediately; also, those having claims, are requested to present them properly attested, within the time prescribed by law, or this notice will be plead in bar of their recovery.

W. R. Adm'r.

